

14:07

8324462424

WONG CABELLO

PAGE 01

wongcabello

Wong, Cabello, Lutsch, Rutherford & Brucculeri, P.C.

20333 SH 249, Suite 600
Houston, Texas 77070
832-446-2400
Fax: 832-446-2452
wcpatent@counselip.com**FACSIMILE TRANSMISSION COVER SHEET**

Date: Tuesday, April 04, 2006

To USPTO - Examiner: Wen Tai Lin

Art Unit: 2154

Fax: 571/273-2885

From: Raymond Reese

Customer No: 29855

Client/Matter #: 199-0234US

Serial No.: 09/812,971

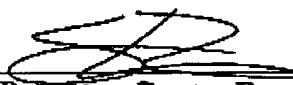
Re: Please see the attached (listed below)

Pages (including cover page): 6

**Received in the United States Patent and Trademark Office
Mail Stop ISSUE FEE****Enclosed:**

- ❖ Issue Fee (large entity) in duplicate
- ❖ Papers listed below

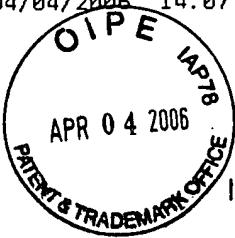
Applicant notes that the Issue Fee Transmittal incorrectly designates Small Entity Status for this Application. Attached hereto is a request to change entity status from small to large that was submitted on March 21, 2002. Also attached is a paper mailed from the Patent and Trademark Office on April 1, 2002, acknowledging that said request had been accepted. Applicant therefore does not understand why the Issue Fee Transmittal designates Small Entity Status. Applicant has hand corrected the Issue Fee Transmittal to reflect Large Entity Status and the Appropriate Large Entity Fees. Applicant requests that the Patent and Trademark Office update its records to reflect Large Entity Status for this Application. Applicant further authorizes the Commissioner to deduct any additional fees required for this submission from Deposit Account No. 501922.


RAYMOND REESE, Reg. No. 47,891

If there is a problem with transmission, please call (832) 446-2400

CONFIDENTIALITY NOTICE

This communication is only for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly prohibited. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.



Docket No. 7257/80

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Patent Application of Baxley et al

Serial No.: 09/812,971

Examiner: (unknown)

Filed: March 19, 2001

For: SELF-TUNING STATISTICAL
RESOURCE ALLOCATION FOR
MULTIPOINT NETWORK EVENTSCommissioner for Patents
Washington, D.C. 20231Certificate of Mailing

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR 1.10 on the date indicated below addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

EU124117885US

Express Mail® Label Number

Robert C. Dorr - 27,782

March 21, 2002

Date of Deposit

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)
AS A SMALL ENTITY (37 C.F.R. § 1.28(c))**

On March 19, 2001, a small entity assertion was erroneously filed in this application. This assertion of small entity status in this application and the payment of fee(s) as a small entity was made in good faith. It has now been discovered that such status as a small entity was established in error.

-2-

ITEMIZATION OF THE FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY

Fee(s) erroneously paid as a Small Entity	Fee Actually Paid as a Small Entity	Deficiency Owed
Filing fee paid on March 19, 2001	\$355	\$355
Fee for excess claims (dependent, over 20) paid on March 19, 2001	\$27	\$27
Fee for excess claims (independent, over 3) paid on March 19, 2001	\$80	\$80

Please charge the total deficiency owed (\$462) to Deposit Account No. 04-1414.

A duplicate of this paper is attached.

Should you have any questions regarding the above, please feel free to give the
below-listed attorney a call.

Respectfully submitted,

DORR, CARSON, SLOAN & BIRNEY, P.C.

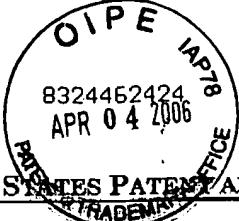
Date: 3/21/02

By: Robert C. Dorr

Robert C. Dorr, #27,782
3010 East 6th Avenue
Denver, Colorado 80206
(303) 333-3010

F:\Common\RCD\Voyant\80 entity amendment

04/04/2006 14:07



UNITED STATES PATENT AND TRADEMARK OFFICE

WONG CABELLO

PAGE 06

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 4

ROBERT C DORR ESQ
DORR CARSON SLOAN & BIRNEY PC
3010 EAST 6TH AVENUE
DENVER, CO 80206

COPY MAILED

APR 01 2002

In re Application of :
Warren Edward et al :
Application No. 09/812,971 : NOTICE
Filed: August 19, 2001 :
Attorney Docket No. 7257/80 :

OFFICE OF PETITIONS

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby ACCEPTED.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center AU 2154.

Wan Laymon
Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

